

AMENDED IN SENATE JUNE 27, 2002

AMENDED IN SENATE JUNE 18, 2002

AMENDED IN ASSEMBLY APRIL 29, 2002

AMENDED IN ASSEMBLY APRIL 15, 2002

AMENDED IN ASSEMBLY APRIL 1, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2165

Introduced by Assembly Member Strom-Martin

February 20, 2002

An act to ~~amend Section 4200 of, and to add Section 4200.2 to, add~~ *Section 4001.5 to the Business and Professions Code, relating to pharmacy.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2165, as amended, Strom-Martin. ~~Pharmacy licensure.~~

Existing law, the Pharmacy Law, provides for the licensure and regulation of pharmacies, pharmacists, and other associated persons and entities by the California State Board of Pharmacy. Existing law ~~requires the board to license a pharmacist who meets certain requirements, including passing a written examination given by the board~~ *establishes the Joint Legislative Sunset Review Committee and specifies its duties with respect to the review of various boards and commissions.*

This bill would ~~change the requirements for issuance of a pharmacy license by the board, including that an applicant pass the board's~~

~~examination that evaluates standards of competence and practice for pharmacists in California. The bill would require a candidate licensed in another state to be licensed in good standing in the other state. The bill would require the board to conduct an occupation analysis every 5 years to determine if the examination evaluates the skills required for the practice of pharmacy~~ *require the Joint Legislative Sunset Review Committee to review the state's shortage of pharmacists and make recommendations on a course of action to alleviate the shortage.*

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. — Section 4200 of the Business and Professions~~
- 2 *SECTION 1. The Legislature finds and declares as follows:*
- 3 *(a) The United States Department of Health and Human*
- 4 *Services has found a nationwide shortage of pharmacists that is*
- 5 *attributable to the increasing demand for pharmacists and a*
- 6 *restricted supply. This shortage is linked to both the increasing*
- 7 *prescription volume and the increasing demand for pharmacists to*
- 8 *provide clinical care in hospitals and other care settings and is*
- 9 *likely to persist for the foreseeable future.*
- 10 *(b) California has significantly fewer pharmacists per capita*
- 11 *than the national average and the annual growth rate in the*
- 12 *number of pharmacists is expected to be 1.4 percent per year*
- 13 *between 2000 and 2010.*
- 14 *(c) The volume of prescriptions filled nationally is expected to*
- 15 *double between 1999 and 2004.*
- 16 *(d) The existing California pharmacist examination is an*
- 17 *unnecessary administrative barrier to practice.*
- 18 *(e) The North American Pharmacist Licensure Examination*
- 19 *has been found to be a valid measure of competence for*
- 20 *pharmacists and has been found to comply with California*
- 21 *standards for occupational licensing examinations.*
- 22 *SEC. 2. Section 4001.5 is added to the Business and*
- 23 *Professions Code, to read:*
- 24 *4001.5. The Joint Legislative Sunset Review Committee shall*
- 25 *review the state's shortage of pharmacists and make*
- 26 *recommendations on a course of action to alleviate the shortage,*

1 *including, but not limited to, a review of the current California*
2 *pharmacist licensure examination.*

3 ~~Code is amended to read:~~

4 ~~4200. (a) The board shall license as a pharmacist, and issue~~
5 ~~a certificate to, any applicant who meets all the following~~
6 ~~requirements:~~

7 ~~(1) Is at least 18 years of age.~~

8 ~~(2) (A) Has graduated from a college of pharmacy or~~
9 ~~department of pharmacy of a university recognized by the board;~~
10 ~~or~~

11 ~~(B) If the applicant graduated from a foreign pharmacy school,~~
12 ~~the applicant has received a grade satisfactory to the board on an~~
13 ~~examination designed to measure the equivalency of foreign~~
14 ~~pharmacy education with that required of domestic graduates.~~

15 ~~(3) Has completed at least 150 semester units of collegiate~~
16 ~~study in the United States, or the equivalent thereof in a foreign~~
17 ~~country. No less than 90 of those semester units shall have been~~
18 ~~completed while in resident attendance at a school or college of~~
19 ~~pharmacy.~~

20 ~~(4) Has earned at least a baccalaureate degree in a course of~~
21 ~~study devoted to the practice of pharmacy.~~

22 ~~(5) Has had 1,500 hours of pharmaceutical experience in~~
23 ~~accordance with regulations adopted by the board.~~

24 ~~(A) "Pharmaceutical experience," constitutes service and~~
25 ~~experience in a pharmacy under the personal supervision of a~~
26 ~~pharmacist, and consists of service and experience predominantly~~
27 ~~related to the selling of drugs, compounding physician's~~
28 ~~prescriptions, preparing pharmaceutical preparations, and keeping~~
29 ~~records and making reports required under state and federal~~
30 ~~statutes.~~

31 ~~(B) To be credited to the total number of hours required by this~~
32 ~~subdivision, this experience shall have been obtained in~~
33 ~~pharmacies and under conditions set forth by rule or regulation of~~
34 ~~the board.~~

35 ~~(6) Has passed an examination reviewed and approved by the~~
36 ~~board that evaluates minimum standards of pharmacist~~
37 ~~competence and contemporary standards of practice for~~
38 ~~pharmacists in California, that shall include, but not be limited to,~~
39 ~~the provision of pharmacist care and the application of clinical~~
40 ~~knowledge to typical pharmacy practice situations.~~

1 ~~(7) If licensed as a pharmacist in another state, the candidate~~
2 ~~shall be licensed in good standing in that state.~~

3 ~~(b) Proof of the qualifications of any applicant for licensure as~~
4 ~~a pharmacist, shall be made to the satisfaction of the board and~~
5 ~~shall be substantiated by affidavits or other evidence as may be~~
6 ~~required by the board.~~

7 ~~(c) Each person, upon application for licensure as a pharmacist~~
8 ~~under this chapter, shall pay to the executive officer of the board,~~
9 ~~the fees provided by this chapter, which fees shall be compensation~~
10 ~~to the board for investigation or examination of the applicant.~~

11 ~~SEC. 2. Section 4200.2 is added to the Business and~~
12 ~~Professions Code, to read:~~

13 ~~4200.2. (a) The board shall conduct an occupation analysis~~
14 ~~every five years to determine whether the current examination~~
15 ~~approved by the board evaluates the skills required for the practice~~
16 ~~of pharmacy in California.~~

17 ~~(b) Prior to adopting the use of an examination, an independent~~
18 ~~psychometric analysis of the examination shall be completed and~~
19 ~~presented to the board for review.~~